

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION

Muhammad Nasir,	:	
Plaintiff	:	Civil Action 2:10-cv-01003
v.	:	
Asfa Ahad Shah, <i>et al.</i> ,	:	Magistrate Judge Abel
Defendants	:	

ORDER

This matter is before the Court on plaintiff Muhammad Nasir's June 7, 2012 motion for a protective order and to quash any and all subpoenas of his personal banking records (doc. 52).

Plaintiff argues that his personal banking statements are private and irrelevant to the case. He maintains that defendants are attempting to invade his privacy, intimidate him and cause him emotional harm. Defendants seek all account records for any accounts in the banks' custody related to Dr. Nasir. Plaintiff maintains that defendants have already obtained his banking statements and no further documents can be provided.

This Court has twice previously ruled that plaintiff's bank records are clearly relevant to defendants' defense of setoff. *See* doc. 42, 43. Plaintiff has failed to articulate any particular and specific harm that he will suffer as the result of defendants'

possession of his bank and financial account records. Furthermore, plaintiff failed to exhaust extrajudicial means to resolve this dispute prior to filing his motion as required by Rule 37.1 of the Southern District of Ohio Civil Rules. Consequently, plaintiff Muhammad Nasir's June 7, 2012 motion for a protective order and to quash any and all subpoenas of his personal banking records (doc. 52) is DENIED. Plaintiff is ORDERED to pay defendants' reasonable expenses incurred in opposing the motion, including their attorney fees pursuant to Rule 37(a)(5)(B).

Under the provisions of 28 U.S.C. §636(b)(1)(A), Rule 72(a), Fed. R. Civ. P., and Eastern Division Order No. 91-3, pt. F, 5, either party may, within fourteen (14) days after this Order is filed, file and serve on the opposing party a motion for reconsideration by the District Judge. The motion must specifically designate the Order, or part thereof, in question and the basis for any objection thereto. The District Judge, upon consideration of the motion, shall set aside any part of this Order found to be clearly erroneous or contrary to law.

s/ Mark R. Abel
United States Magistrate Judge